

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN TIRADO-ROMAN,

Defendant.

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8:10CR307

ORDER

This matter is before the court on the motion to extend the time for filing pretrial motions by defendant Martin Tirado-Roman (Tirado-Roman) (Filing No. 27). The motion does not comply with NECrimR 16.2 and paragraph 9 of the Progression Order (Filing No. 14) in that the motion is not accompanied by the defendant's affidavit or declaration stating that defendant:

- (1) Has been advised by counsel of the reasons for seeking a continuance;
- (2) Understands that the time sought by the extension may be excluded from any calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.; and
- (3) With this understanding and knowledge, agrees to the filing of the motion.

Accordingly, the motion (Filing No. 27) is :

- ( X ) Held in abeyance pending compliance with NECrimR 16.2 and Paragraph 9 of the Progression Order. Absent compliance **on or before September 23, 2010**, the motion will be deemed withdrawn and termed on the docket.
- ( ) Denied.

**IT IS SO ORDERED.**

DATED this 17th day of September, 2010.

BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge